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Report of the Law Enforcement Compensation Board



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ONTARIO

THE SECOND REPORT  
OF THE  
LAW ENFORCEMENT COMPENSATION BOARD  
UNDER  
THE LAW ENFORCEMENT COMPENSATION ACT, 1967  
AS AMENDED,  
FOR THE PERIOD JANUARY 1, 1970  
TO DECEMBER 31, 1970

[REDACTED]  
Ontario. Law Enforcement Com  
Report of the Law  
Enforcement Compensation Boa

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BORROWER'S NAME

[REDACTED]  
Ontario. Law Enforcement Com  
Report of the Law  
Enforcement Compensation Boa



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OF THE  
LAW ENFORCEMENT COMPENSATION BOARD  
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THE LAW ENFORCEMENT COMPENSATION ACT, 1967  
AS AMENDED,

FOR THE PERIOD JANUARY 1, 1970 TO DECEMBER 31, 1970

THE BOARD

HIS HONOUR CHIEF JUDGE C. E. BENNETT, *Chairman*  
R. P. MILLIGAN, Esq., Q.C., *Vice-Chairman*,  
F. B. DEACON, Esq.  
A. R. WILLMOTT, Esq., Q.C.  
I. M. MACDONELL, Esq., Q.C.

REGISTRAR

J. B. LIND, Esq.

ADDRESS

Law Enforcement Compensation Board,  
454 University Avenue, Room 201,  
Toronto 2, Ontario.

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KF 113781057 \$ bAGH Scl 1970

THE HONOURABLE ALLAN F. LAWRENCE, Q.C., M.P.P.,  
*Minister of Justice and*  
*Attorney General for Ontario,*  
Parliament Buildings,  
Toronto 2, Ontario.

Honourable Sir,

I have the honour to submit the second report of the Law Enforcement Compensation Board, which covers the period January 1, 1970 to December 31, 1970.

Yours respectfully,

C. E. BENNETT,  
*Chairman*

### THE LEGISLATION

The Law Enforcement Compensation Act, 1967, was given Royal Assent on June 15, 1967, and proclaimed in force on April 1, 1968. Under the Act, as passed in 1967, the Board was restricted to awarding compensation where a person was killed or injured assisting a peace officer.

The Act was amended in 1969, the amendments being given Royal Assent on June 27, 1969, and being made retroactive to April 1, 1968. The amendments broadened the Act so that compensation may be paid, not only where a person is killed or injured assisting a peace officer, but also where the person is simply a victim of crime.

### THE BOARD

Section 2 of the Act provides that the Board shall be composed of not fewer than three and not more than five members. Two members constitute a quorum.

In 1968, the following were appointed to the Board:

His Honour Judge C. E. Bennett,  
Mr. R. P. Milligan, Q.C., and  
Mr. F. B. Deacon.

In 1970, Mr. A. R. Willmott, Q.C., and Mr. I. M. Macdonell, Q.C., were added to the Board.

### ADMINISTRATION

The Registrar of the Law Enforcement Compensation Board is Mr. J. B. Lind. He is supported by a staff of four, which includes an Investigator.

### COSTS OF ADMINISTRATION

The costs to administer the Act for 1970 are as follows:

Staff Salaries	\$26,569.22
*Board members fees and travel	5,602.78
Office supplies and equipment	3,729.27
Total cost of administration	\$35,901.27

\*The Chairman and Vice-Chairman do not receive fees.

The total of administration (\$35,901.27) and awards granted (\$244,463.85) is \$280,365.12. Therefore, 14.7% of our budget has been required for administrative purposes.

### VOLUME OF WORK

The number of applications has continued to increase as the legislation becomes known and the public becomes aware of its rights.

	<u>1968</u>  (Only those assisting a police officer were eligible)	<u>1969</u>  (Legislation given Royal Assent on June 27, 1969 making victims of crime eligible)	<u>1970</u>
Applications received	1	72	247
Applications heard	1	20	129
Total of awards granted	0	\$20,801.67	\$244,463.85
Hearings pending	0	52	165

While the above figures are not conclusive to demonstrate that applications will continue to increase, because the year 1970 was the first full year under the amended legislation given Royal Assent on June 27, 1969 whereby victims of crime are compensable, we anticipate that applications will indeed continue to increase over the next few years. Even after five years of operation, the Boards in the U.K. and New York State have experienced a steady increase of applications which they attribute to the fact that it requires a considerable period of time to educate the public as to its rights under the comparatively new victims of crime legislation.

The above opinion that the number of applications will continue to increase in Ontario is decisively supported by this comparison of the first three months of 1970 with the first three months of 1971.

	1971 Jan/Feb/Mar.	1970 Jan/Feb/Mar.
Eligible applications received	103	32
Applications heard	48	18
Applications heard, further evidence required	6	5
Second hearings	4	2
Decisions completed and awards granted	44	12
Total of awards granted	\$105,507.49	\$15,374.70
Hearings pending	220	66

During 1969, an average of 6 eligible applications per month were received. In 1970 this average figure increased to 20.5 and in the first three months of 1971 had risen to an average of 34 per month.

Again, inquiries and requests for application forms are steadily increasing. During the first four months of 1971 the following number of applications was mailed out in addition to the unrecorded number picked up at the office:

January	41
February	68
March	64
April	88

## "SUMMARY OF CLAIMS AND DISPOSITION", "MONTHLY SUMMARY OF AWARDS GRANTED" AND "SUMMARY OF AWARDS"

Attached hereto as Appendix "A" are the above summaries.

### THE FILING AND HEARING OF CLAIMS

#### 1. *Who may Apply for Compensation?*

Section 3(2) stipulates:

- (a) the victim;
- (b) a person who is responsible for the maintenance of the victim and who suffers pecuniary loss or expenses as the result of the injury;
- (c) where the death of the victim has resulted, the victim's dependants or any of them.

Provided the offence occurred in Ontario, the victim or applicant may be from any other province or country. The first maximum lump sum awarded was to an American, the widow of one of two men who were shot and killed by three men in 1969 near Ottawa. While the legislation does not say so in plain language, the Board will not compensate a resident of Ontario who is injured in any other province (despite the wording, "commission of an offence against a statute of Canada. . . ." 3(1)(a)).

There is no means test under the Law Enforcement Compensation Act.

#### 2. *Time Limitation*

Section 6. is in this form:

An application for compensation shall be made within one year after the date of the death or injury but the Board may, in its discretion, extend the time for such further period as it deems just.

Section 5. of the Law Enforcement Compensation Act, 1968-69 S.O. 1969, reads:

5. (1) This Act shall be deemed to have come into force on the 1st day of April, 1968.

(2) Notwithstanding Section 6. of the Law Enforcement Compensation Act, 1967, an application in respect of a death or injury occurring after the 1st day of April, 1968 and before the 1st day of September, 1968, may be made to the Law Enforcement Compensation Board before the 1st day of September, 1969. (1968-69 amendment.)

Because of the newness of the legislation, the Board has never rejected an application because it was untimely, provided, of course, the crime occurred on or after April 1, 1968.

### *3. Procedure in Filing and Hearing Claims*

- (a) Upon inquiry to the Law Enforcement Compensation Board, 454 University Avenue, Room 201, Toronto 2, Ontario, a form is given or mailed to the prospective claimant, who is advised to submit the completed form together with medical reports, receipts and material to support his claim.
- (b) The Registrar obtains the police report and communicates with the appropriate crown attorney or other authority to ensure that the charge against the offender has been disposed of and that the time for appeal has expired.
- (c) The Registrar corresponds with the claimant, if necessary, with the intent that the material be complete.
- (d) The claim is scheduled for hearing and the offender is notified, in accordance with the Act, of the hearing date.
- (e) A writ of subpoena ad testificandum or a writ of subpoena duces tecum may be obtained by writing to the Registrar of the Board.
- (f) Under the Act, there must be a hearing. While the evidence is given under oath, the Board tries to develop an atmosphere of informality in the board room which is conducive to the obtaining of the required information in support of a claim. At an international conference to study and consider legislation to compensate victims of crime in Los Angeles in 1968, it was agreed that a board rather than the courts should adjudicate upon claims. One of the reasons in support of this conclusion was the informality of the board room. All jurisdictions which have this type of legislation have boards, with the exception of Massachusetts where the courts are used.

At the hearings, both the witness and counsel are seated while the witness is giving evidence.

Generally, there is no adherence to the strict rules of evidence. Counsel is allowed to lead the witness in most instances. And the Board listens to some hearsay.

- (g) Written reasons for each decision are also mandatory under the legislation. The claimant is usually informed at the hearing as to whether he qualifies for compensation, but not normally, if he qualifies, as to the amount, which is decided later by the Board.
- (h) The cases are heard at Toronto but from time to time the Board sits throughout the province. As already stated, the quorum is two members and most cases are adjudicated upon by a Board consisting of two members.
- (i) The award is mailed to the solicitor and copies to the Toronto and local newspapers and to the university law libraries. In exceptional circumstances, the circulation of the award is limited to the solicitor for the claimant and to the Treasurer of the Province of Ontario under authority of Section 12(1). The prohibition of the publication of evidence in certain claims will be discussed later.

## WHAT MUST BE PROVEN

There are two main items of proof:

1. that injury or death has resulted in accordance with the provisions of Clause (a), (b) or (c) of subsection 1 of Section 3, that is, that injury or death resulted because the victim was a victim of crime or was hurt or killed in law enforcement participation; and
2. the damages or the amount of the compensation.

1. *That Injury or Death has Resulted in Accordance with the Provisions of Section 3(1), (a), (b) or (c)*  
Section 3(1) reads:

- (1) Where any person is injured or killed by any act or omission of any other person occurring in or resulting directly from:
  - (a) The commission of an offence against any statute of Canada or Ontario, not including an offence involving the use or operation of a motor vehicle as defined in the Highway Traffic Act, but including assault by means of such motor vehicle;
  - (b) lawfully arresting or attempting to arrest an offender or suspected offender, or assisting a peace officer therein;
  - (c) preventing or attempting to prevent the commission of a crime or suspected crime, or assisting a peace officer therein.

The Board may, on application, therefore, and after a hearing, make an order in its discretion exercised in accordance with this Act for the payment of compensation and the decision of the Board is final and conclusive for all purposes. (1968-69 amendment.)

Clause (a) deals with "victims of crime".

Clause (b) and (c) relate to "law enforcement claims".

Out of 150 claims heard so far, from the Board's inception, only 7 have been law enforcement and all of these have been under (b). In all the law enforcement cases we have heard, the claimant would have qualified not only under Clause (b) but also simply as a victim of crime under (a).

It has been the interpretation of the Board, on the reading of the whole statute with particular reference to Section 3., that it was the intention of the Legislature to benefit only victims of crimes of violence. In our awards we have concluded that murder, manslaughter, arson where injury or death has resulted, assault, rape, wounding, some offences of criminal negligence and careless handling of a gun (Section 86 C.C.C.) are crimes of violence. The issue then is not whether the injury suffered by the claimant was directly attributable to a criminal offence but rather was directly attributable to a crime of violence. Poisoning would be included in our definition as an act of violence towards the person.

#### *Degree of Proof Necessary*

The applicant is called upon to prove his case on a balance of probabilities.

#### *Where the Offender is an Infant, Mentally Disordered or Drunken*

We have decided (In re Bortolon, award April 21, 1970, and in other cases) that a person should be deemed to have intended an act or omission notwithstanding that by reason or age, insanity, drunkenness or otherwise, he was legally incapable of forming a criminal intent.

#### *Method of Proving that a Crime was Committed*

In the vast majority of cases, there is no difficulty proving that a criminal offence has been committed. A police report is obtained by the Registrar of the Board and is available at the hearing. A certificate of conviction is sometimes submitted by counsel for the claimant. The claimant or some other witness usually gives evidence to identify the person named in the police report or in the certificate of conviction as the offender who injured or killed the victim.

The Board may decide that a crime was committed whether or not the offender was prosecuted or convicted. (Section 7(1).) This is so even where the offender was known but was not prosecuted or convicted. The burden of proving a criminal offence before us is less onerous than in a criminal court. The standard of proof before us is, as indicated, on the balance of probabilities and not beyond a reasonable doubt. Again, evidence is available to our Board which cannot be presented in a court of law. For instance, the offender may have given evidence at an inquest under the protection of the Canada Evidence Act and the Ontario Evidence Act which cannot be used against him in a subsequent criminal or civil proceeding but is admissible before us. And, as has been already stated, hearsay evidence is admitted to some extent.

## 2. The Damages or the Amount of Compensation

The second main item is the proof of the amount of compensation:

- (a) In a case where the injured person is living, compensation is considered under the following headings of the Act:

- (i) *Section 4(1)(a) of the Act—Expenses Actually and Reasonably Incurred as a Result of the Victim's Injury*

Out-of-pocket medical and hospital expenses are compensable under this heading. In assessing compensation under this heading, the Board takes into consideration any benefit, compensation or indemnity payable to the applicant from any source. Sums paid for the benefit of the claimant or received by him from sickness and accident insurance, hospitalization and medical insurance whether private or public schemes, Workmen's Compensation, etc. are therefore deducted in calculating the pecuniary loss to the victim.

Compensation is not given for property damage except for items on the person of the victim damaged by the offender in the criminal act, to a limited extent, such as glasses, clothes, dentures. We do not compensate for money taken from the person.

- (ii) *Section 4(1)(b) of the Act—Pecuniary Loss to the Victim as a Result of Total or Partial Incapacity for Work.*

In arriving at the pecuniary loss to the victim as a result of the incapacity for work, the Board accepts the gross pay as the base and then subtracts the deductions which do not represent any savings or credit accumulated for the employee, such as unemployment insurance.

- (iii) *Section 4(1)(d) of the Act—Pain and Suffering*

As was pointed out in our first report, the Board compensates for "pain and suffering" but, unlike the general damages given in a lump sum by a court, no consideration is given to the loss of the expectation of life or loss of the amenities of life.

- (iv) *Section 4(1)(e) of the Act—Other Pecuniary Loss Resulting from the Victim's Injury and any Expense that, in the Opinion of the Board, it is Reasonable to incur*

Under this heading we allow the cost of obtaining the necessary evidence such as medical reports, and in some cases, transcripts of evidence, the expenses of counsel and of the claimant to attend the hearing and a legal fee to cover the preparation of documents, interviews, preparation of cases and counsel fee.

(b) *If the Victim was Killed*

(i) *Section 4(1)(a) of the Act—Expenses Actually and Reasonably Incurred as the Result of the Victim's Injury or Death*

Funeral expenses are paid under this heading if pecuniary loss to the dependants can be established. In many instances, there is no pecuniary loss under this heading because of assets or insurance of the deceased.

(ii) *Section 4(1)(c) of the Act—Pecuniary Loss to the Dependents as a Result of the Victim's Death*

The main claim where the death of a victim has resulted is under Clause (c) of Section 4(1), "Pecuniary loss to the dependants as a result of the victim's death".

To ascertain the pecuniary loss, for instance, of a widow with children, the Board determines the moneys which the husband, if he had lived, would have brought home for the benefit of the wife and children and then subtracts the widow's present income.

## MISCELLANEOUS

### *Appeal*

Section 3(1) provides that the decision of the Board is final and conclusive for all purposes. The decisions of the Board are subject to review by the Supreme Court of Ontario by way of certiorari (Re Botrie, April 22, 1969).

### *Review of Awards*

Section 13 which gives the Board the right to review its awards is in this form:

The Board may, at any time, of its own motion or on the application of the offender or any person in whose favour an order is made, review the order and revoke, confirm or vary the order as the Board deems just in the circumstances.

The Board reviewed two awards in 1970. One award was increased while the decision in the other is deferred, pending further evidence.

Section 13 has been used in several instances for making an interim award.

### *Proceedings Against the Offender*

As already stated, the offender is notified where possible. To date, one offender appeared but did not remain for the hearing.

Under Section 7(1), the Board is subrogated to all the rights of the person in whose favour the order is granted in respect to the injury or death to the extent of the amount awarded. No attempt has

been made to keep track of the offenders. Many of them are in jail and the whereabouts of a good number are unknown. Generally speaking, we do not consider it would be economically feasible to pursue them. In a case where it appears that there might be some chance of recovery, our Investigator conducts an investigation, and we did recover \$1,167.00 from one offender. But as a matter of policy, the costs of ascertaining the whereabouts of financial resources of offenders generally is prohibitive.

### *Whether Lump Sum or Monthly Payments*

Section 10(1) reads:

“The amount ordered by the Board to be paid in respect of any one occurrence shall not exceed,

- (a) In the case of lump sum payments, a total of \$10,000.00, or
- (b) in the case of periodic payments, a total of \$500.00 per month.”

We have restricted awards of periodic payments under (b) mainly to widows with children or to deserving cases where the claimant was seriously wounded or crippled permanently. As, for example, where the claimant, a woman aged 41, lost the sight of both eyes and the use of her arm when she was shot at close range.

### *No Minimum Restrictions on Awards*

Unlike most other jurisdictions, small claims are not excluded, there being no minimum specified in the Act.

### *Reduced Awards*

Section 5. reads:

5. In determining whether to make an order for compensation and the amount thereof, the Board may have regard to all such circumstances as it considers relevant, including any behaviour of the victim that directly or indirectly contributed to his injury or death.

As we pointed out in last year's report, Section 5. is difficult to apply, particularly in assault cases where the victim has been consuming alcohol. We have reduced a claimant's award in several cases by 25% because of behaviour which we considered contributed to his injuries. “Drunks are rolled”, and it is asking for trouble to walk on certain streets at night under the “influence”. If the applicant engaged voluntarily in a free fight, we would reject the claim. Where the fight began on equal terms and one participant pulled his knife, a reduced award would likely be made. Every case, of course, must be determined on its peculiar circumstances.

### *Legal Costs*

The Board has been awarding moderate legal fees, to lawyers who represent claimants under 4(1)(e) which states:

- (1) Compensation may be awarded by the Board for . . .
  - (e) other pecuniary loss resulting from the victim's injury and any expense that in the opinion of the Board, it is reasonable to incur.

Legal Aid is available to applicants at two levels:

- (1) To provide counsel for the actual hearing, and for the preparation of complicated cases, and,
- (2) To obtain the services of solicitors in less complex cases, to complete forms and collect supporting material to be submitted with the application for compensation.

### *Regulations*

It is the intention to have Regulations promulgated.

### *The Office of the Investigator*

As indicated, a full-time Investigator is now in the employ of the Board. He assists in some cases, to obtain medical reports, police documents and other evidence which is relevant to the claim. If the Investigator obtains evidence adverse to the interests of the claimant, the latter is confronted with such evidence either at or after the hearing. The Investigator also acts as Secretary to the Board when the Board splits to have two sittings taking place at the same time. One of the important duties of the Investigator is to make regular checks on claimants who are in receipt of periodic payments.

### *Prohibition of the Publication of Evidence*

Section 12(1) reads:

- (1) The Board may make an order prohibiting the publication of any report or account of the whole or any part of the evidence at a hearing where the Board deems it necessary, but in making an order under this subsection the Board shall have regard to the desirability of permitting the public to be informed of the principles and nature of each case.

The Board has used Section 12(1) sparingly and only in two areas:

- (1) Where the publication of the evidence might seriously affect the reputation and well-being of the claimant, as for example a claimant who was raped.
- (2) Where the Board concludes that a certain person is guilty of a criminal offence although that person has not been so found in a court of law. If we conclude that a certain person is guilty of a criminal offence although that person has not been so

found in a court of law, it is highly important to prohibit publication of the evidence. While the finding that a person is guilty of a criminal offence under a standard of proof less than beyond a reasonable doubt, and on evidence not admissible in a criminal court, may jar our senses of natural justice, it would be equally unfair to deny compensation to applicants who are injured as victims of crime. Another example of finding a person guilty of a criminal offence in a civil forum is where a board of arbitration in the labour field finds on a balance of probabilities that an employee, not convicted in court, is guilty of stealing, and sustains a discharge action taken by the company.

The claims are listed infra where the Board has restricted the publication of the evidence under Section 12(1).

As already stated, where an order is made under Section 12(1), the circulation of the award is limited to the solicitor for the claimant and to the Treasurer of the Province of Ontario.

#### ACKNOWLEDGMENT

The members of the Board express their appreciation to those members of the Bar who have appeared before us and who have assisted us materially in attempting to resolve problems in the young and growing body of law under the Law Enforcement Compensation Act. We would also like to thank the Police, Legal Aid, Crown Attorneys, Doctors, Dentists and members of the staffs of hospitals, and the Press for their co-operation and assistance in the early days of this legislation.

All of which is respectfully submitted,

COLIN E. BENNETT,  
*Chairman*

R. P. MILLIGAN,  
*Vice-Chairman*

F. B. DEACON,  
*Member*

A. R. WILLMOTT,  
*Member*

I. M. MACDONELL,  
*Member*



*APPENDIX A*

SUMMARY OF CLAIMS AND DISPOSITION,  
MONTHLY SUMMARY OF AWARDS GRANTED  
AND  
SUMMARY OF AWARDS

## SUMMARY OF CLAIMS AND DISPOSITION

1968

April 1, 1968 to December 31, 1968:

Eligible Applications Received.....	1
Applications Heard.....	1

*Applications by Area:*

Toronto..... 1

*Types of Crime*

Murder..... 1

1969

January 1, 1969 to December 31, 1969

Eligible Applications Received.....	72
*Applications Heard.....	20
Applications Heard—Further Evidence Required.....	3
Second Hearings.....	1
†Decisions Completed and Awards Granted.....	11
Interim Awards.....	2
‡Total of Awards Granted.....	\$20,801.67
Average Award.....	1,891.06
Hearings Pending.....	52

*Note:* \*Includes Heard and Further Evidence Required.

†Includes Interim and Supplementary Awards.

‡Plus Payments shown on Summary "Continuing Monthly and Annual Awards".

*Applications by Area:*

Toronto..... 39	Aberfoyle..... 1	Mississauga..... 1
Windsor..... 5	Bobcaygeon..... 1	Newmarket..... 1
Hamilton..... 4	Bracebridge..... 1	Niagara Falls..... 1
Kitchener..... 2	Brantford..... 1	Preston..... 1
London..... 2	Carp..... 1	Thunder Bay..... 1
Ottawa..... 2	Collingwood..... 1	Wawa..... 1
Sault Ste. Marie..... 2	Dunnville..... 1	
Sudbury..... 2	Meadford..... 1	72

*Types of Crime:*

Assault, bodily harm..... 24	Assault, bodily harm assisting Police..... 3
Assault..... 11	Alleged Police brutality..... 1
Robbery with violence..... 8	Assault by motor vehicle..... 1
Wounding..... 6	Heart attack—assisting fellow officer..... 1
Attempted murder..... 1	Indecent assault..... 1
Murder..... 8	Mental shock..... 1
Stabbing..... 5	Rape..... 1

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1970

January 1, 1970 to December 31, 1970

Eligible Applications Received.....	247
*Applications Heard.....	129
Applications Heard and Dismissed.....	8
Applications Heard—Further Evidence Required.....	28
Second Hearings.....	10
Review of Awards.....	2
†Decisions Completed and Awards Granted.....	121
Interim Awards.....	6
Supplementary Awards.....	2
‡Total of Awards Granted.....	\$244,463.85
Average Award.....	2,020.04
Hearings Pending.....	165

*Note:* \*Includes Heard and Dismissed; Heard and Further Evidence Required.

†Includes Interim and Supplementary Awards.

‡Plus Payments shown on Summary "Continuing Monthly and Annual Awards".

*Applications by Area:*

Toronto.....	128	Sudbury.....	2	West Hill.....	1
Hamilton.....	11	Waterdown.....	2	Belle River.....	1
Windsor.....	11	Brockville.....	1	Ingersoll.....	1
London.....	7	Peterborough.....	1	Glen Williams.....	1
Thunder Bay.....	5	Orono.....	1	Aurora.....	1
Ottawa.....	4	Reddendale.....	1	Creemore.....	1
North Bay.....	4	Thedford.....	1	Cobourg.....	1
Mississauga.....	4	Jackson's Point.....	1	Galt.....	1
Kitchener.....	3	Long Lac.....	1	Mt. Albert.....	1
Wiarton.....	3	Preston.....	1	Rice Lake.....	1
Mt. Forest.....	3	St. Thomas.....	1	Massey.....	1
Niagara Falls.....	2	Stoney Creek.....	1	Stirling.....	1
St. Catharines.....	2	Bracebridge.....	1	Woodstock.....	1
Sandwich West.....	2	Dorset.....	1	Sarnia.....	1
Carp.....	2	Kincardine.....	1	Virgil.....	1
Minden.....	2	Mackenzie Stn.....	1	Desbarats.....	1
Kapuskasing.....	2	Mono Mills.....	1	Virginia.....	1
Sault Ste. Marie.....	2	Bothwell.....	1	Byron.....	1
Guelph.....	2	Bay Ridges.....	1	Kingston.....	1
Oshawa.....	2	Long Sault.....	1	Meaford.....	1
Port Colborne.....	2	Bath.....	1	Timmins.....	1

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*Types of Crime:*

Assault, bodily harm.....	87	Careless hunting.....	3
Assault.....	41	Dangerous use of firearms.....	2
Robbery with violence.....	19	Manslaughter.....	2
Wounding.....	29	Train derailment (Sabotage).....	4
Assault, robbery.....	8	Arson.....	1
Murder, N/C.....	3	Bomb blast.....	1
Attempted murder.....	5	Indecent assault.....	3
Murder.....	16	Harassment.....	1
Stabbing.....	12	Thrown object.....	3
Rape.....	7		

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**MONTHLY SUMMARY  
AWARDS GRANTED  
Jan. 1/70 to Dec. 31/70**

Bacchus

Fecundity

Loss to

May, 1970

100-1	Aug.	27/68	Apr.	26/68	May 25/70	Murder
100-10	Aug.	25/69	Feb.	14/69	May 5/70	A.B.H.
100-53	Oct.	2/69	Nov.	13/68	May 20/70	Wounding
100-54	Oct.	15/69	Aug.	15/69	May 11/70	A.B.H.
100-68	Jan.	8/70	June	26/69	May 20/70	A.B.H.
100-74	Nov.	12/69	Apr.	12/69	May 5/70	Rob. w/v
100-78	Dec.	2/69	Feb.	23/69	May 11/70	Wounding
100-81	Nov.	13/69	Nov.	23/68	May 8/70	A.B.H.
100-94	Dec.	10/69	Jan.	9/69	May 27/70	Rob. w/v
100-105	Jan.	26/70	Jan.	18/70	May 8/70	A.B.H.
100-151	Apr.	29/70	Apr.	4/70	May 27/70	Assault

100-1	Aug.	27/68	Apr.	26/68	May 25/70	Murder
100-10	Aug.	25/69	Feb.	14/69	May 5/70	A.B.H.
100-53	Oct.	2/69	Nov.	13/68	May 20/70	Wounding
100-54	Oct.	15/69	Aug.	15/69	May 11/70	A.B.H.
100-68	Jan.	8/70	June	26/69	May 20/70	A.B.H.
100-74	Nov.	12/69	Apr.	12/69	May 5/70	Rob. w/v
100-78	Dec.	2/69	Feb.	23/69	May 11/70	Wounding
100-81	Nov.	13/69	Nov.	23/68	May 8/70	A.B.H.
100-94	Dec.	10/69	Jan.	9/69	May 27/70	Rob. w/v
100-105	Jan.	26/70	Jan.	18/70	May 8/70	A.B.H.
100-151	Apr.	29/70	Apr.	4/70	May 27/70	Assault

100-1	Aug.	27/68	Apr.	26/68	May 25/70	Murder
100-10	Aug.	25/69	Feb.	14/69	May 5/70	A.B.H.
100-53	Oct.	2/69	Nov.	13/68	May 20/70	Wounding
100-54	Oct.	15/69	Aug.	15/69	May 11/70	A.B.H.
100-68	Jan.	8/70	June	26/69	May 20/70	A.B.H.
100-74	Nov.	12/69	Apr.	12/69	May 5/70	Rob. w/v
100-78	Dec.	2/69	Feb.	23/69	May 11/70	Wounding
100-81	Nov.	13/69	Nov.	23/68	May 8/70	A.B.H.
100-94	Dec.	10/69	Jan.	9/69	May 27/70	Rob. w/v
100-105	Jan.	26/70	Jan.	18/70	May 8/70	A.B.H.
100-151	Apr.	29/70	Apr.	4/70	May 27/70	Assault

June, 1970

100-40	Oct.	14/69	Aug.	22/68	June 8/70	A.B.H.
100-67	Dec.	5/69	Dec.	14/68	June 22/70	Wounding
100-90	Feb.	25/70	Aug.	13/68	June 3/70	Rob. w/v
100-106	Feb.	2/70	Apr.	27/69	June 10/70	Assault
100-108	Feb.	4/70	Nov.	27/69	June 24/70	A.B.H.
100-109	Feb.	12/70	Dec.	10/69	June 10/70	Assault
100-118	Feb.	25/70	June	21/69	June 17/70	Assault
100-119	Feb.	25/70	June	21/69	June 17/70	Assault
100-131	Apr.	6/70	Feb.	14/70	June 17/70	Assault
100-160	May	11/69	Jan.	8/70	June 3/70	A.B.H.

100-40	Oct.	14/69	Aug.	22/68	June 8/70	A.B.H.
100-67	Dec.	5/69	Dec.	14/68	June 22/70	Wounding
100-90	Feb.	25/70	Aug.	13/68	June 3/70	Rob. w/v
100-106	Feb.	2/70	Apr.	27/69	June 10/70	Assault
100-108	Feb.	4/70	Nov.	27/69	June 24/70	A.B.H.
100-109	Feb.	12/70	Dec.	10/69	June 10/70	Assault
100-118	Feb.	25/70	June	21/69	June 17/70	Assault
100-119	Feb.	25/70	June	21/69	June 17/70	Assault
100-131	Apr.	6/70	Feb.	14/70	June 17/70	Assault
100-160	May	11/69	Jan.	8/70	June 3/70	A.B.H.

July, 1970

100-07	July	21/69	June	13/69	July 16/70	Assault
100-16	Aug.	28/69	Mar.	8/69	July 16/70	Wounding
100-21	Aug.	25/69	July	25/69	July 24/70	A.B.H.
100-42	Aug.	27/69	June	30/68	July 30/70	Assault
100-80	Jan.	26/70	July	29/69	July 16/70	A.B.H.
100-82	Nov.	14/69	June	30/68	July 14/70	A.B.H.
100-83	Nov.	17/69	June	30/68	July 10/70	A.B.H.
100-86	Nov.	20/69	July	14/69	July 16/70	Rob. w/v
100-99	April	2/70	Aug.	12/69	July 8/70	Wounding





MONTHLY SUMMARY  
AWARDS GRANTED  
Jan. 1/70 to Dec. 31/70

DATE OF

Case Number	Application Received	Crime	Award	Classification of Crime	Medical Expenses	Loss of Earnings	Deceased Victims	Pain and Suffering	Funeral Expenses	Other Pecuniary Loss	Counsel Fees and Other Legal Costs	Total Award
November, 1970—Cont'd.												
100-188	June 10/70	July 16/69	Nov. 19/70	Rape	482.70	750.00		7,000.00		400.00	8,632.70	
100-225	Aug. 18/70	Dec. 21/69	Nov. 10/70	A.B.H.	25.00	507.09		750.00		1,282.09		
100-231	Aug. 25/70	May 28/70	Nov. 18/70	A.B.H.	3.00			150.00			153.00	
100-237	Sept. 3/70	Jan. 22/70	Nov. 18/70	Rob. w/v	122.80	1,000.00		400.00		100.00	1,622.80	
100-252	Sept. 16/70	Nov. 10/69	Nov. 4/70	A.B.H.	24.22	60.75		250.00		25.00	359.97	
					<u>1,571.25</u>	<u>4,337.47</u>		<u>22,150.00</u>		<u>25.00</u>	<u>1,350.00</u>	<u>29,433.72</u>
December, 1970												
100-34	Feb. 26/70	Mar. 9/69	Dec. 2/70	Wounding	1,500.00			1,500.00		240.00	3,240.00	
100-140	April 10/70	Aug. 18/69	Dec. 22/70	A.B.H.	2,500.00			115.00			2,500.00(4)	
100-148	April 24/70	Mar. 30/70	Dec. 28/70	Manslaughter						175.00	290.00(12)	
100-154	May 1/70	Mar. 17/70	Dec. 9/70	Rob. w/v	54.42			200.00		75.00	404.42	
100-173	June 8/70	Oct. 30/69	Dec. 28/70	No charge laid						225.00	425.00(13)	
100-177	June 11/70	Jan. 30/70	Dec. 16/70	Wounding	178.45			1,200.00		100.00	1,478.45	
100-182	June 15/70	Jan. 29/69	Dec. 22/70	A.B.H.	246.55	150.00		1,000.00		692.40	158.00	2,246.95
100-205	July 13/70	April 26/70	Dec. 28/70	N/C Murder						240.00	2,640.00(14)	
100-208	July 15/70	Oct. 24/68	Dec. 22/70	Att. Murder	600.00			600.00		24.00	115.00	1,339.00
100-222	Aug. 11/70	July 11/70	Dec. 16/70	A.B.H.						300.00	2.00	302.00
100-226	Aug. 20/70	Aug. 23/69	Dec. 16/70	Wounding	100.00			1,500.00		280.00	200.00	100.00(9)
100-228	Sept. 8/70	Feb. 28/70	Dec. 9/70	Wounding	74.72	2,000.00		400.00		128.00	125.00	4,055.22
100-234	Aug. 31/70	April 24/70	Dec. 16/70	Assault				500.00			1,153.00	
100-240	Sept. 10/70	May 13/70	Dec. 9/70	A.B.H.	135.00			250.00		50.00	435.00	
100-251	Sept. 19/70	Sept. 13/70	Dec. 16/70	Rob. w/v	163.05	530.00		250.00		30.00	973.05	
100-260	Sept. 23/70	Sept. 17/69	Dec. 22/70	Assault	20.00			250.00			40.00	310.00
100-263	Sept. 30/70	Oct. 3/69	Dec. 22/70	A.B.H.	170.00					350.00	230.00	750.00(15)
100-291	Nov. 4/70	May 3/70	Dec. 23/70	Wounding						1,104.35	250.00	3,988.71(4)
100-299	Nov. 16/70	Mar. 26/70	Dec. 9/70	Rob. w/v				300.00		40.00	40.00	340.00
					<u>1,542.19</u>	<u>9,914.36</u>		<u>2,715.00</u>		<u>2,611.25</u>	<u>2,263.00</u>	<u>26,970.80</u>

CONSOLIDATED SUMMARY OF AWARDS  
January 1, 1970 to December 31, 1970

Month	No. of Awards	Medical Expenses	Loss of Earnings	Pecuniary			Counsel Fees and Other Legal Fees		
				Loss to Relatives of Deceased Victims	Pain and Suffering	Funeral and Burial Expenses	Other Pecuniary Loss	Total	
JANUARY	5	711.42	2,890.38	—	3,450.00	—	150.00	575.00	7,776.80
FEBRUARY	7	2,154.71	728.24	—	2,550.00	1,133.70	306.25	725.00	7,597.90
MARCH	4	50.70	392.00	—	3,850.00	1,037.80	197.00	350.00	5,877.50
APRIL	11	860.75	11,617.34	200.00	14,300.00	1,000.00	789.15	1,962.00	30,729.24
MAY	10	2,526.80	5,224.20	—	12,025.00	734.47	604.15	604.15	21,114.62
JUNE	16	4,482.72	9,578.50	—	19,400.00	562.20	562.20	3,055.00	37,078.42
JULY	6	649.42	5,847.09	10,000.00	4,800.00	297.35	535.00	22,128.86	
AUGUST	11	820.30	1,308.00	842.00	1,450.00	279.00	676.00	5,375.30	
SEPTEMBER	21	2,952.65	10,351.21	7,309.35	26,375.00	954.98	2,437.50	50,380.69	
OCTOBER	11	1,571.25	4,337.47	—	22,150.00	25.00	1,350.00	29,433.72	
NOVEMBER	19	1,542.19	9,914.36	2,715.00	7,925.00	2,611.25	2,263.00	26,970.80	
DECEMBER	121	18,322.91	62,188.79	21,066.35	118,275.00	3,171.50	6,906.65	14,532.65	244,463.85
		<i>7½%</i>	<i>25½%</i>	<i>8½%</i>	<i>48½%</i>	<i>1¼%</i>	<i>2¾%</i>	<i>6%</i>	<i>= 100%</i>

NOTES

- (1) Of this award \$1,000.00 was paid to the victim's brother for funeral and burial expenses, \$350.00 to Professor Linden, legal counsel, and \$200.00 arrears for 1969 and 1970. To continue at \$100.00 per annum to mother effective April 26, 1971.
- (2) Represents balance of award. Interim award of \$1,000.00 was granted in Nov., 1969.
- (3) The total of \$7,537.60 is to be paid by a lump sum of \$2,537.60 and \$200.00 per month effective July 2, 1970 for 25 consecutive months.
- (4) This award (interim) represents only a portion of the total sum. Further evidence is required.
- (5) The total of \$6,462.65 is to be paid by a lump sum of \$2,462.65 and \$200.00 per month effective July 2, 1970 for 20 consecutive months.
- (6) The total of \$5,307.90 is to be paid by a lump sum of \$1,307.90 and \$200.00 per month effective Sept. 1, 1970 for 20 consecutive months.
- (7) Final award. Interim previously granted.
- (8) Represents arrears of monthly payments to Dec. 30, 1970. To continue at \$76.00 per month effective Jan. 1, 1971.
- (9) Supplementary award to cover unforeseen items.
- (10) Represents arrears of monthly payments to Dec. 30, 1970. To continue at \$150.00 per month effective Jan. 1, 1971.
- (11) Represents arrears of monthly payments to Dec. 30, 1970. To continue at \$200.00 per month effective Jan. 2, 1971 for 15 consecutive months.
- (12) Represents arrears of monthly payments to April 30, 1970. To continue at \$115.00 per month effective May 1, 1970.
- (13) Represents arrears of monthly payments to Nov. 30, 1970. To continue at \$200.00 per month effective Dec. 1, 1970.
- (14) Represents arrears of monthly payments to Dec. 31, 1970. To continue at \$300.00 per month effective Jan. 1, 1971.
- (15) Represents arrears of monthly payments to Jan. 2, 1971. To continue at \$50.00 per month effective Jan. 3, 1971.

CONTINUING PERIODIC MONTHLY AND ANNUAL AWARDS  
JANUARY 1, 1970 TO DECEMBER 31, 1970

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<u>Application Number</u>				
100-1	\$100.00 per year $\times$ 1 yearly	=	\$ 100.00	
100-56	76.00 per month $\times$ 12 months	=	912.00	
100-120	150.00 per month $\times$ 12 months	=	1,800.00	
100-148	115.00 per month $\times$ 9 months	=	1,035.00	
100-173	200.00 per month $\times$ 2 months	=	400.00	
*100-205	500.00 per month $\times$ 5 months	{		
	305.00 per month $\times$ 1 month	=	3,405.00	
	300.00 per month $\times$ 2 months			
100-263	50.00 per month $\times$ 12 months	=	600.00	
				**\$8,252.00

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\*To continue at \$300.00 per month.

\*\*Does not include arrears.

## SUMMARY OF AWARDS

January 1, 1970 to December 31, 1970

### APPLICATION NUMBER 100-1

Victim, a cab driver, was fatally shot when 3 youths attempted to rob him on the outskirts of Toronto. One youth was killed in attempting to elude the police; another was sent to training school for an unstated period of time. The third was returned home under control of a probation officer and is receiving psychiatric treatment. Award: \$100.00 annually to victim's mother, commencing April 26, 1969; \$1,000.00 to victim's brother for funeral expenses; \$350.00 for legal fees.

### APPLICATION NUMBER 100-7

Victim, age 33, was violently attacked by a knife-wielding assailant in the bedroom of his Sault Ste. Marie home at 12:45 a.m. He suffered multiple slash wounds. Offender sentenced to 6 months and 2 years probation. Award: \$1,518.00.

### APPLICATION NUMBER 100-8

Victim was attacked in Toronto by an unknown assailant. He sustained cuts and swelling to the face. One eye had to be removed; little sight remained in the other. Case was heard, but victim subsequently died from other causes. Award: \$400.00 to applicant's estate.

### APPLICATION NUMBER 100-10

Victim was assaulted in an Ottawa restaurant, receiving stab wound in left upper abdomen. Offender was found guilty and given a suspended sentence and 12 months probation. Award: \$1,308.30.

### APPLICATION NUMBER 100-11

Victim, a dentist, was wounded in Toronto while giving chase to 2 bank robbers, and sustained a gunshot wound in left groin. Assailant was convicted of armed robbery and wounding with intent to maim, receiving a sentence of 14 years. Award: \$5,144.18.

### APPLICATION NUMBER 100-16

Victim, 18-year-old female, was shot in left side of face through the window of a Toronto apartment. A .22 calibre bullet was removed from left side of face. Offender unknown. Award: \$1,082.00, with \$700.00 to be paid to the Accountant, Supreme Court of Ontario, in trust.

### APPLICATION NUMBER 100-17

Victim sustained gun shot wound while standing in front of his Aberfoyle home. He was injured in left elbow and forearm region. Offender unknown. Award: \$1,006.20.

### APPLICATION NUMBER 100-18

Victim, 52-year-old Sudbury resident, was assaulted without provocation in a hotel men's beverage room. He sustained injury to 2 lower bicuspids, damage to denture and removal of 2 teeth. Offender was sentenced to \$100.00 fine or 30 days. Award: \$530.00.

**APPLICATION NUMBER 100-21**

Victim was assaulted on Yorkville Avenue, Toronto. He received razor slashes to left side of face requiring 36 stitches. Offender was fined \$200.00 or 30 days. Award: \$1,301.66.

**APPLICATION NUMBER 100-23**

Victim, an excavating contractor, was assaulted and robbed in Sudbury. He suffered loosened teeth, lacerations and abrasions of face, fracture of little finger and two deep wounds on right side of head, including concussion. Offenders unknown. Award: \$2,840.90.

**APPLICATION NUMBER 100-24**

Victim, a taxi driver, was robbed and assaulted in Mississauga by 4 passengers in his taxicab. He sustained cuts to head, bruises, contusions and concussion. 2 assailants were sentenced to 60 days each, one to 6 months definite and 6 indefinite, and one to 5 years. Award: \$810.00.

**APPLICATION NUMBER 100-26**

Victim was assaulted at night on a Toronto campus by 2 unknown offenders. Received lacerations to head and face, 4 fractures to left jaw, loss of one tooth, and eye injuries. Award: \$1,659.25.

**APPLICATION NUMBER 100-31**

Victim, 35-year-old taxi driver, was assaulted by unknown person in a Toronto restaurant. He received lacerations to face, and head and neck injury. Award: \$1,056.00. Award was subsequently reviewed at request of applicant, but no increase was made by Board.

**APPLICATION NUMBER 100-32**

Victim, 71-year-old night watchman of a Windsor lumber company, was beaten to death by intruders. Body was discovered by fellow employees at 7:30 the following morning. 2 offenders were apprehended and both sentenced to 10 years on reduced charges of manslaughter. Award: \$3,675.00 to applicant, wife of deceased.

**APPLICATION NUMBER 100-33**

Victim, an unemployed house painter, age 33, was fatally shot in a Hamilton alley by 3 companions with whom he had just left an all-night drinking party. Offenders were convicted of manslaughter and sentenced to 12 years. Award: \$1,323.70 to applicant, wife of deceased.

**APPLICATION NUMBER 100-35**

Victim died of asphyxiation from fire in a London hotel room. Offender was convicted of arson and sentenced to life imprisonment. Award: \$553.80 for funeral expenses granted to applicant, wife of deceased. Applicant was advised that she may request Board to review Award if she can provide proof of pecuniary loss.

**APPLICATION NUMBER 100-38**

Victim, age 75 was attacked in his Collingwood home. 2 young men broke open victim's back door, demanding money and keys to victim's car. Upon refusal, they attacked him and threatened to kill him. Victim sustained fractured jaw, bruises, cuts. One

offender was sentenced to life imprisonment, one to 12 years. Sentences were reduced by Court of Appeal to 7 years for each offender. Award: \$3,800.70.

#### **APPLICATION NUMBER 100-40**

Victim received lacerations to face and eye when assaulted by 4 youths in Don Mills Shopping Centre. One offender admitted to attack and was sentenced to 30 days. Award: \$167.80.

#### **APPLICATION NUMBER 100-42**

Victim, en route from a Toronto Legion Hall to City transit bus, was assaulted and beaten with fists and feet. He suffered fractured right ankle, loss of 2 front teeth and body bruises. Offender was fined \$50.00 or 10 days. Award: \$3,840.95.

#### **APPLICATION NUMBER 100-51**

Victim, age 13 was strangled to death in Port Arthur by person who picked him up in his truck when victim was hitchhiking. Offender was found not guilty by reason of insanity. Award: \$713.00 to applicant, victim's father, for funeral expenses.

#### **APPLICATION NUMBER 100-53**

Victim, a female nurse, age 23 was violently attacked at her Hamilton apartment, when a 17-year-old assailant forced his way in. Victim received multiple stab wounds, loss of 2 front teeth, scarring of neck, shoulder and wrist. Offender was sentenced to 10 years. Award: \$8,045.24.

#### **APPLICATION NUMBER 100-54**

Victim, age 17, was assaulted in Toronto without provocation, by young man accompanied by 2 other men. Offender was not apprehended. Award: \$290.00.

#### **APPLICATION NUMBER 100-56**

Victim, age 39, was reported missing June 21, 1969. Body was found floating in Veuve River, July 24, 1969, with feet and hands bound. Death was due to strangulation as a result of homicide. Offender unknown. Award: \$1,292.00 to applicant, wife of victim, covering arrears, and continuing payments of \$76.00 monthly.

#### **APPLICATION NUMBER 100-59**

Victim, engineering inspector, age 42, was shot to death on January 3, 1969, when he alighted from his car on Highway 44 near Carp, Ontario. 3 offenders were convicted of non-capital murder and each sentenced to life imprisonment. Award: \$10,000.00 to applicant, wife of deceased. Award is held pending outcome of 2 subsequent applications from a daughter and son of the victim by a previous marriage.

#### **APPLICATION NUMBER 100-62**

Victim, a tool grinder, age 34, was assaulted in a Toronto parking lot when he stopped his car because of 2 vehicles ahead. A person from the vehicle behind got out to ask victim why he was not moving, and then struck blows to victim's face. Victim suffered contusions to face and eyes, nasal fracture. Offender was sentenced to 3 months. Award: \$1,077.70.

**APPLICATION NUMBER 100-67**

Victim, age 45, a night attendant at a Kitchener service station, received serious stab wounds to left shoulder, chest and back. Offender was committed to Ontario Hospital, Penetanguishene, and later sentenced to 3 years suspended sentence and placed on probation, to be returned to Clarke Institute of Psychiatry for a maximum of 3 years. Award: \$7,934.59.

**APPLICATION NUMBER 100-68**

Victim was assaulted in a Thunder Bay hotel beverage room, suffering removal of one eye. Offender was fined \$50.00 and costs or 2 weeks. Award: \$7,537.60.

**APPLICATION NUMBER 100-73**

Victim was assaulted during a disturbance following a Toronto soccer game. He suffered a cut lip, loss of front tooth and cap of another. Offender was fined \$15.00 or 30 days. Award: \$724.00.

**APPLICATION NUMBER 100-74**

Victim was attacked and robbed by 3 assailants on outskirts of Preston. His injuries were face swollen and bruised, deep laceration over left eye and nose, and fracture of left sixth rib. 2 offenders were sentenced 4 years each, the third to 6 months indeterminate and 15 months determinate. Award: \$2,964.78.

**APPLICATION NUMBER 100-76**

Victim was assaulted at Niagara Falls following minor car accident. He was stabbed in neck and back by 72-year-old passenger of other car. Offender was fined \$400.00 or 5 months. Award: \$592.25.

**APPLICATION NUMBER 100-77**

Victim, age 28, sustained 3 serious gunshot wounds to stomach, back and arm, when intervening to avoid a shooting of others. Offender was sentenced to 18 months in Ontario Reformatory. Award: \$5,410.42.

**APPLICATION NUMBER 100-78**

Victim, age 27, was shot at offender's apartment in Windsor, while intervening in quarrel between a woman and her common-law husband. He suffered a fractured femur. Assailant was charged with wounding with intent and sentenced to 3 months. Award: \$6,390.93.

**APPLICATION NUMBER 100-80**

Victim received lacerations to face and eyes and fractured cheek bone when attacked by 3 persons in a Toronto parking lot. Offenders were each fined \$200.00 or 30 days. Award: \$1,499.25.

**APPLICATION NUMBER 100-81**

Victim, age 38, suffered fractured right fifth rib and pneumothorax contusions and abrasions when assaulted by 2 persons in a Toronto parking lot. Charge against one assailant dismissed; 6 months sentence was given to the other. Award: \$1,902.54.

**APPLICATION NUMBER 100-82**

Victim, age 64, apartment house caretaker and superintendent, was severely beaten. He suffered fractured right arm, broken finger and wrist and lacerations to head. Charge against offender was dismissed. Award: \$2,014.90.

**APPLICATION NUMBER 100-83**

Victim was assaulted by 3 men in a house on Ontario Street, Toronto. He suffered lacerations and bruises to face and eye and fracture of the tenth rib. One assailant was convicted of assault, his sentence suspended, and the assailant placed on probation for 2 years. Award: \$1,095.35.

**APPLICATION NUMBER 100-86**

Victim, age 31, was assaulted with a tire iron while assisting a police officer to apprehend a burglar who had broken into a service station. Victim suffered a broken finger on left hand which was in a cast for 6 weeks. Offender was sentenced to 4 years in penitentiary. Award: \$570.00.

**APPLICATION NUMBER 100-87**

Victim, a milk store owner, was assaulted by a would-be thief in his Toronto store. He suffered a broken front upper tooth. 15-year-old offender was returned to St. John's Training School. Award: \$415.00.

**APPLICATION NUMBER 100-90**

Victim, age 75, was viciously assaulted and robbed in a shoe repair shop in North Bay. Injuries included a compound depressed fracture of the skull, as a result of which the patient was left with a right hemiplegia as well as dysarthria. Offender was sentenced to 8 years penitentiary. Award: \$6,462.65.

**APPLICATION NUMBER 100-91**

Victim, a foreman, age 40, was assaulted in Toronto with iron rod, following argument over parking between victim and assailant's son. Victim suffered fractured nose, facial lacerations, 2 front teeth and half a dental plate broken, broken bone over left eye, broken cheekbone. Offender was fined \$500.00 or 30 days. Award: \$552.00.

**APPLICATION NUMBER 100-93**

Victim, age 19, a recreation leader with the Parks Dept., City of Toronto, was assaulted by 3 youths while supervising a wading pool. He suffered lacerations to left eye requiring 6 stitches. One offender was convicted of assault and sentenced to 3 days. Award: \$50.00.

**APPLICATION NUMBER 100-94**

Victim, a female social worker, age 30, was assaulted in Toronto. She suffered a broken knee-cap. Offender unknown. Award: \$400.00.

**APPLICATION NUMBER 100-95**

Victim, female, age 56, was assaulted by 3 persons on a London street in a purse snatch incident. Victim received abrasions to right elbow, soft tissue injuries to right shoulder, elbow and rib cage. One offender was sentenced to 1 day in jail and 2 years probation, another to 2 years probation; charge against the third was withdrawn and the offender returned to training school. Award: \$436.25.

**APPLICATION NUMBER 100-99**

Victim was stabbed in abdomen for no apparent reason while carrying out his duties as waiter in a Burlington men's beverage room. Stab wound penetrated abdominal wall and lacerated bowel. Offender was sentenced to 9 months in Ontario Reformatory. Award: \$2,400.17.

**APPLICATION NUMBER 100-103**

Victim, age 14, was assaulted in Toronto by 2 drunken men. He had 1 front upper tooth knocked out and 5 lower teeth loosened, and a cut lip. Offender was sentenced to 5 days in jail. Award: \$502.42.

**APPLICATION NUMBER 100-104**

Victim was viciously assaulted in a Toronto rooming house by a person whom he had just ordered out of the house due to his conduct. Assailant struck applicant on the face with an empty bottle. Resulting injury necessitated loss of victim's left eye. Offender was charged with assault, bodily harm, but was acquitted in Provincial Judges' Court. Award: \$3,575.00.

**APPLICATION NUMBER 100-105**

Victim, a taxicab driver, age 34, was assaulted in Toronto by 2 passengers, as result of argument over fare. Victim sustained contusions to face, nose, forehead, subconjunctival hemorrhage. One offender was fined \$150.00 or 15 days. Charges against other offender were withdrawn. Award: \$339.85.

**APPLICATION NUMBER 100-106**

Victim, age 24, was assaulted outside a Timmins restaurant after words had passed earlier in the restaurant between victim and assailant. There was injury to left eye necessitating removal of same, and facial lacerations. Offender was sentenced to 6 months jail. Award: \$5,307.90.

**APPLICATION NUMBER 100-109**

Victim, 26-year-old female, was struck in mouth and robbed while en route from Toronto grocery store to home. She sustained loss of 3 front teeth, and bruises. Offender unknown. Award: \$624.50.

**APPLICATION NUMBER 100-114**

Victim was stabbed in a Toronto apartment when trying to prevent assailant from throwing beer bottles over apartment balcony. Victim sustained wounds to left chest and right forearm. Offender was sentenced to 30 days and 1 year probation. Award: \$1,016.04.

**APPLICATION NUMBER 100-115**

Victim, in restaurant business with a brother, was assaulted by several persons when investigating a disturbance in the establishment. Assailants, all members of one family, were attempting to leave premises without paying their bill. 120 stitches were necessary to close serious cuts on victim's head, face and arm from broken glass used as a weapon. One offender was sentenced to 1 year; Bench Warrants are outstanding for the remaining 3. Award: \$2,557.25.

**APPLICATION NUMBER 100-116**

Victim, in restaurant business with a brother, was assaulted by several persons when investigating a disturbance in the establishment. Assailants, all members of one family, were attempting to leave premises without paying their bill. Victim received lacerations to face and eye and body bruises. One offender was sentenced to 1 year; Bench Warrants are outstanding for the remaining 3. Same occurrence as Application Number 100-115. Award: \$875.00.

**APPLICATION NUMBER 100-118**

Victim, age 27, was accompanied by a friend when both were assaulted on a Toronto street by 4 persons. Stab wound to stomach penetrated to liver which was lacerated. 2 offenders were sentenced to \$200.00 fine or 30 days on assault charges; the third was sentenced to \$200.00 fine or 30 days on assault charge and \$300.00 fine or 2 months on assault causing bodily harm charge; the fourth was sentenced to 2 years in penitentiary on assault, bodily harm charge. Award: \$2,124.00.

**APPLICATION NUMBER 100-119**

Victim, age 29, was accompanied by a friend when both were assaulted on a Toronto street by 4 persons. Victim sustained stab wound in abdomen with laceration to stomach posterior wall and to pancreas. 2 offenders were sentenced to \$200.00 fine or 30 days on assault charges; the third was sentenced to \$200.00 fine or 30 days on assault charge and \$300.00 fine or 2 months on assault causing bodily harm charge; the fourth was sentenced to 2 years in penitentiary on assault, bodily harm charge. Same occurrence as Application Number 100-118. Award: \$3,655.00.

**APPLICATION NUMBER 100-120**

Victim, age 44, a fireman with Canadian National Railways, was killed in a train derailment caused by tampering with an open switch by persons unknown. Police evidence confirmed sabotage. Offenders have never been apprehended. Award: \$3,246.00 arrears, and continuous payments of \$150.00 per month to applicant, wife of deceased.

**APPLICATION NUMBER 100-121**

Victim, while driving his car on a Toronto street, was in an altercation with driver of a second car when they both alighted from their vehicles and an argument ensued. Assailant struck victim without warning, breaking his jaw in 2 places. Offender was convicted of assault causing bodily harm and sentenced to \$300.00 fine or 2 months. Award: \$2,144.45.

**APPLICATION NUMBER 100-123**

Victim, in non-provoked altercation in a Kapuskasing rooming house, was struck with side of beer bottle which fractured on impact. He sustained a 3-inch laceration in forehead and lacerations to left eye which necessitated removal of eye. Offender was convicted of assault, bodily harm, and fined \$200.00. Award: \$7,602.19.

**APPLICATION NUMBER 100-125**

Victim, age 17, assaulted by 3 youths near Toronto Collegiate Institute, suffered broken left leg, fractured nose, numerous abrasions and bruises. Offenders were sentenced to \$200.00 fine or 2 months. Award: \$1,627.00, of which \$1,502.00 was paid to Supreme Court Accountant in trust.

**APPLICATION NUMBER 100-126**

Victim, shot 5 times with .22 revolver in a Hamilton apartment, sustained wounds in region of left knee, left calf and right thigh. Offender was sentenced to 10 years in penitentiary for wounding with intent. Award: \$1,765.35.

**APPLICATION NUMBER 100-129**

Victim, 23-year-old female, was stabbed with kitchen knife by unknown assailant while walking homeward on a Toronto street. She sustained a wound in the back passing through spinal canal. Knife was removed in Emergency Department of Toronto General Hospital. Offender was not apprehended. Award: \$7,680.00.

**APPLICATION NUMBER 100-130**

Victim, age 21, was stabbed through left ventricle of heart following altercation in a Kingston restaurant. Offender was sentenced to 18 months definite and 12 months indefinite; Court of Appeal later increased sentence to 3 years in penitentiary. Award: \$2,607.22.

**APPLICATION NUMBER 100-131**

Victim, while seated in Toronto Transit Commission streetcar, was hit by thrown object which came through window shattering the glass. Victim sustained superficial scratch on left cheek. Offender unknown. Award: \$26.25.

**APPLICATION NUMBER 100-140**

Victim sustained facial bruises, spinal damage and deflation of 1 lung when assaulted without provocation in dock area of Virginia Beach. Offender was sentenced to \$100.00 fine or 10 days. Interim Award: \$2,500.00. Final Award deferred pending medical prognosis.

**APPLICATION NUMBER 100-142**

Victim sustained fracture of mandible, fracture of maxilla, 4 fractured ribs and extensive bruises of face and lips, when assaulted without provocation at ethnic hall in Preston. Offender was sentenced to \$50.00 fine and \$77.50 costs or 10 days. Award: \$1,681.04.

**APPLICATION NUMBER 100-143**

Victim, a machinist, age 45, was attacked in driveway of his Toronto home upon his return from work. He sustained multiple bruises and lacerations of his face and scalp and corneal abrasion of left eye. Offender unknown. Award: \$1,009.94.

**APPLICATION NUMBER 100-144**

Victim, a baker, age 45, was assaulted by a farmer of Normandy Township who objected to victim fishing on his property. Altercation took place after assailant had given to O.P.P. information necessary for laying a charge, when victim attempted to retrieve his fishing

rod from assailant's truck. Victim sustained swelling and tenderness of left ear and left forearm and minor swelling and tenderness of other areas of body. Offender was fined \$50.00. Award: \$1,058.91.

#### APPLICATION NUMBER 100-147

Victim, age 21, was assaulted by 2 young men while parked with a girlfriend at the A & W Drive-in, Kingston. One assailant claimed that the girl was considered his girlfriend. Victim sustained lacerations of chin, bruises about the face, loss of an upper right tooth and chipping of 2 other teeth. 1 offender was sentenced to 18 months definite and 12 months indefinite, the other to 9 months definite and 12 months indefinite. Award: \$1,695.20.

#### APPLICATION NUMBER 100-148

Victim, age 64, was shot to death in Thunder Bay area for no apparent reason. Offender was sentenced to 9 years in penitentiary on charge of manslaughter. Award: \$290.00 arrears and continuing payments of \$115.00 per month to applicant, wife of victim

#### APPLICATION NUMBER 100-151

Victim, 23-year-old female, was assaulted in her second storey apartment and jumped from balcony to avoid further contact with assailant. She suffered a broken pelvis and pubic bone as well as bruises on arms, thighs and other parts of body. Offender is unfit to stand trial and is confined in Penetanguishene Mental Institution until arrangements can be made for his deportation into a comparable institute in United States. Award: \$3,072.92.

#### APPLICATION NUMBER 100-154

Victim, a building maintenance man, age 47, was shot in back of neck by pellet gun, lost consciousness and was robbed by assailant. Resulting neck injury required operation for removal of pellet. Offender remains unidentified. Award: \$404.42.

#### APPLICATION NUMBER 100-155

Victim, age 33, sustained lacerations to face, broken ribs, nasal fracture and body bruises when assaulted and beaten in his Toronto apartment. Offender was convicted of assault, bodily harm and sentenced to \$350.00 fine or 60 days. Award: \$2,815.80.

#### APPLICATION NUMBER 100-157

Victim, 56-year-old female, was assaulted and robbed on a Toronto street by unknown offender. Resultant head and back injuries necessitated 2 weeks' hospitalization. Award: \$3,393.40.

#### APPLICATION NUMBER 100-160

Victim sustained broken left finger and bruises when assaulted by fellow worker at his place of employment in Toronto. Offender was convicted of common assault and fined \$75.00 or 5 days. Award: \$985.40.

#### APPLICATION NUMBER 100-163

Victim sustained gunshot wounds to wrist and groin in his rooming house in the Longlac area. Offender was sentenced to 6 years penitentiary. Interim Award: \$1,500.00. Final award has not yet been granted pending receipt of further evidence.

**APPLICATION NUMBER 100-169**

Victim, 35-year-old female, was assaulted in a Toronto community hall. She sustained fracture of right wrist and soft tissue injury to right shoulder. Offender was sentenced to \$100.00 fine or 30 days on assault charge. Award: \$237.00.

**APPLICATION NUMBER 100-173**

Victim, age 34, was shot and killed while in the bush in Thunder Bay area. No charges were laid against offender. Award: \$425.00 arrears and continuing payments of \$200.00 per month to applicant, wife of victim.

**APPLICATION NUMBER 100-174**

Victim, age 63, was assaulted and beaten on a Toronto street near his place of residence. He sustained a broken leg, loss of several teeth, head injuries and damage to right ear. Offenders unknown. Interim award: \$2,641.87. Final award is to be made on receipt of further medical evidence.

**APPLICATION NUMBER 100-175**

Victim, a Niagara Falls police officer, was injured while hunting in the bush. He sustained gunshot wounds through left arm, left side and abdomen. Offender was convicted of careless hunting and fined \$50.00. Award: \$2,766.20.

**APPLICATION NUMBER 100-177**

Victim, age 53, manager of a Toronto hotel, was injured by a .22 rifle. He sustained wounds in chest which required 6 weeks hospitalization. Offender was sentenced to 5 years penitentiary. Award: \$1,478.45.

**APPLICATION NUMBER 100-178**

Victim, age 58, was assaulted on a Toronto street by a group of young persons. He sustained a broken right ankle and facial lacerations. Offenders unknown. Award: \$1,224.00.

**APPLICATION NUMBER 100-179**

Victim, age 27, a Windsor police officer, was injured in a gun battle. He sustained 5 wounds on right side of head resulting in removal of right eye, 2 wounds in left side of head resulting in pellets being lodged behind left eye, wounds in both hands and forearms. Another police officer was shot to death in the shoot-out. Offender was sentenced to death. Award: \$4,760.88.

**APPLICATION NUMBER 100-180**

Victim was shot behind right knee while standing in Windsor bar speaking to bartender. He sustained a wound 6 mm. in length just below knee crease. There being no sign of exit, operation was required to remove bullet from muscle below knee joint level. Alleged offender was tried and found not guilty by Judge and Jury. Award: \$759.10.

**APPLICATION NUMBER 100-181**

Victim, age 45, was assaulted at a Toronto commercial firm by a fellow employee. He sustained loss of 2 teeth, broken dentures, lacerations to mouth and bruises to head. Offender was sentenced to \$25.00 fine or 5 days on charge of assault, bodily harm. Award: \$1,051.90.

**APPLICATION NUMBER 100-184**

Victim, age 61, security guard for a Toronto company, was assaulted while en route to his place of employment. He sustained stab wounds to arm and back, bruises and lacerations to face, and a sprained ankle. Offender unknown. Award: \$665.91.

**APPLICATION NUMBER 100-185**

Victim was stabbed in a Sault Ste. Marie bar when attempting to assist in subduing a knife-wielding assailant. He sustained a wound in upper abdomen with lacerations to large bowel within abdomen. Offender was charged with wounding and sentenced to \$500.00 fine or 6 months and 2 years probation. Award: \$3,349.02.

**APPLICATION NUMBER 100-191**

Victim, a 70-year-old female, was assaulted on a Toronto street by being pushed and falling into a concrete stairway. She sustained fractured left hip and body bruises. Offender, a minor, was sentenced to 1 year probation. Award: \$819.05.

**APPLICATION NUMBER 100-193**

Victim, 62-year-old female, was assaulted on a Toronto street and her purse snatched by a young, unknown assailant. She sustained fracture to left shoulder and body bruises. Award: \$250.00.

**APPLICATION NUMBER 100-197**

Victim, age 35, a delivery man for a pizza company, was assaulted when making delivery to a tenant of a Toronto apartment. He sustained a broken nose and lacerations to forehead. 2 offenders were charged with assault, bodily harm, and each sentenced to \$100.00 fine or 30 days. Award: \$75.00.

**APPLICATION NUMBER 100-199**

Victim, age 41, a delivery truck driver, was stabbed by an assailant outside his Toronto home. Sustained wounds in upper left chest, left lung, and left side of neck. Offender was charged with assault, bodily harm, given a suspended sentence and placed on probation for 2 years. Award: \$2,065.00.

**APPLICATION NUMBER 100-200**

Victim, age 41, accompanied by his brother, was assaulted by three youths on a Toronto street. He sustained cuts and lacerations to right side of face. Offenders unknown. Award: \$45.00.

**APPLICATION NUMBER 100-205**

Victim, age 48, was fatally wounded following an argument during a social visit in a Toronto home. Offender was found guilty of manslaughter and sentenced to 6 years penitentiary. Award: \$2,640.00 arrears, and continuing payments of \$300.00 per month to applicant, wife of victim. Supplementary award: \$765.00 covering payment of accounts not foreseen at time of original Hearing.

**APPLICATION NUMBER 100-208**

Victim, age 41, was shot in upper right leg while in the bush in Oxford Township. Offender was sentenced to 5 years penitentiary, on charge of attempted murder. Award: \$1,339.00.

**APPLICATION NUMBER 100-215**

Victim, age 31, assaulted on a Toronto residential street by a group of youths. He sustained head and body bruises when knocked unconscious. Offenders unknown. Award: \$150.00.

**APPLICATION NUMBER 100-219**

Victim, female, age 17, had acid-like fluid thrown in her face while attending Toronto Exhibition with friends. She sustained slight damage to right eye, which improved with treatment and suffered no continuing damage as result of incident. Offender unknown. Award: \$197.00 to applicant, the victim's mother.

**APPLICATION NUMBER 100-220**

Victim, age 20, was assaulted and slashed with a razor when assisting the manager of a Toronto rooming house to break up a noisy party. Slashes to cheek and back required 64 stitches. Offender was sentenced to 2 years on wounding charge. Award: \$390.00.

**APPLICANT NUMBER 100-225**

Victim, age 45, a C.N.R. carman in Hamilton, was assaulted and badly beaten when returning home from work in early morning hours. He sustained a fractured skull, lacerated right eye and right ear damage. Offenders unknown. Award: \$1,282.09.

**APPLICATION NUMBER 100-226**

Victim, a 25-year-old Windsor police officer, was wounded by an assailant who also wounded another police officer and killed a third. He sustained gunshot wounds to neck, chest, abdomen, both arms and right leg. Offender was sentenced to death. (Same occurrence as Application Number 100-179). Award: \$4,700.00. Supplementary Award: \$100.00 covering unforeseen doctor's fee.

**APPLICATION NUMBER 100-228**

Victim, a Thunder Bay businessman, was assaulted and stabbed in his office. He sustained wounds to the abdomen, chest and face. Offender was charged with attempted murder and sentenced to 5 years penitentiary. Award: \$4,055.22.

**APPLICATION NUMBER 100-231**

Victim, age 45, a commercial cook, was assaulted in a Toronto rooming house, where he resided. He sustained bruises about the head, ribs, back, legs, and arms. 2 offenders were charged with assault, bodily harm, one receiving a \$300.00 fine or 30 days, and the charge against the second being withdrawn. Award: \$150.00.

**APPLICATION NUMBER 100-233**

Victim, age 16, was fatally shot by assailant in Cornwall Township who subsequently committed suicide. Award: \$1,009.35 to applicant, victim's father.

**APPLICATION NUMBER 100-234**

Victim, age 56, sustained fractured jaw and broken dentures when assaulted on a Toronto street near his home. Offender was sentenced to \$50.00 fine or 3 days, on assault charge. Award: \$1,153.00.

**APPLICATION NUMBER 100-237**

Victim, female, age 65, was assaulted in a purse snatch incident on a Toronto street. She sustained broken shoulder and elbow fracture. Offender unknown. Award: \$1,622.80.

**APPLICATION NUMBER 100-240**

Victim, age 18, was assaulted by hopper from newspaper truck at a Toronto street intersection. He sustained broken nose and facial lacerations. Offender charged with assault and sentenced \$100.00 or 20 days. Award: \$435.00 to applicant, victim's father.

**APPLICATION NUMBER 100-251**

Victim, age 32, a Metro Toronto cab driver, was assaulted and robbed by two fares that he had picked up. He sustained fractured nasal bones and body bruises. Offenders were charged with robbery and each sentenced to three months definite and eighteen months indefinite. Award: \$973.05.

**APPLICATION NUMBER 100-252**

Victim, age 27, was assaulted while entering his apartment garage in his car. He sustained fractured jaw and injury to right eye. Warrant was sworn out for arrest of offender; however, he had been picked up on another charge and while under arrest hanged himself in jail. Award: \$359.97.

**APPLICATION NUMBER 100-253**

Victim, a Windsor Police Officer, was injured by trying to break the fall of a female, who, being molested in her apartment, jumped from the second storey window. Victim sustained neck and spinal injury. Offender who caused the action on the part of the female was found unfit to stand trial and admitted to Hospital for Criminally Insane, Penetanguishene. (Same occurrence as Application Number 100-151). Award: \$2,190.00.

**APPLICATION NUMBER 100-260**

Victim, age 12, was assaulted by a night watchman for a Mississauga confectionery establishment. He sustained superficial abrasion on left cheek, lacerations to left forehead and slight damage to cornea of left eye. Offender was charged with assault and fined \$75.00. Award: \$310.00 to applicant, mother of victim.

**APPLICATION NUMBER 100-263**

Victim, age 77, unmarried and living in his own home, was assaulted by an unsatisfactory tenant who had been given notice to vacate. He sustained a fractured right wrist and broken shoulder. Offender was charged with assault and sentenced to \$25.00 fine or 5 days. Award: \$750.00 arrears and continuing payments of \$50.00 per month.

**APPLICATION NUMBER 100-291**

Victim, a truck driver, resident of Sault Ste. Marie, was wounded by his father-in-law who resides with victim and his wife. He sustained a gunshot wound on lower left thigh, resulting in permanent disability. Offender was charged with wounding and sentenced to 90 days. Interim award: \$3,988.71. Final award to be made when all medical evidence is available.

**APPLICATION NUMBER 100-299**

Victim, 68-year-old female, a deaf mute, was assaulted and robbed by three masked men while carrying out her duties as housekeeper at a Thunder Bay residence. She received bruises and abrasions to wrists and ankles as result of same being bound. 2 offenders were each sentenced to 2 years and nine months. Award: \$340.00.

## APPLICATIONS DISMISSED

On receipt, applications are scrutinized by the Registrar to ensure that they will qualify within the terms of the Act. If the application does not fall within the meaning of the Act, it is acknowledged and rejected by the Registrar without being placed before the Board. Rejections of this type include occurrences which took place before the Act came into effect, incidents involving the use of motor vehicles, robbery or damage to personal property and financial loss through poor investment or fraud. Borderline cases are placed on the agenda for a hearing by the Board.

### APPLICATION NUMBER 100-15

Victim, age 58, a Metro Toronto Police Officer, died from a heart attack after having assisted other officers in subduing a belligerent man in one of the divisional police stations. Board found that applicant, wife of victim, suffered no pecuniary loss as result of death of her husband; therefore, application was dismissed.

### APPLICATION NUMBER 100-124

Victim, a 53-year-old pensioner, sustained a broken hip and pelvis, when knocked down by a group of boys who were fooling around and scuffling. Board found from surrounding circumstances and from a statement of the applicant himself that he was not a victim of crime. Application was therefore dismissed.

### APPLICATION NUMBER 100-133

Victim, accompanied by his wife and several friends after returning home from a Windsor beverage room, was stabbed, together with his wife, by parties unknown or whom the applicant was reluctant to identify. He sustained wounds to left arm and forearm. Board was of the opinion that victim, by his own conduct not only directly contributed to his own injury but withheld information from police so that no person could be charged with the stabbing. In view of the circumstances, application was dismissed.

### APPLICATION NUMBER 100-134

Victim, a boarder in a Windsor home, was stabbed in right thigh and alleged that six men entered the house with intent of robbery. Board was of the opinion that victim deliberately withheld information from police so that no person has been charged with the stabbing, and therefore could not find him to be an innocent victim of crime. Application was therefore dismissed. (Same occurrence as case number 100-133.)

### APPLICATION NUMBER 100-159

Victim, an off-duty taxi-driver, picked up a female in a Toronto restaurant and accompanied her to her room. 2 men entered, one claiming to be her husband, and assaulted the cab driver. Board, in accordance with Section 5 of the Act, took into account all circumstances it considered relevant including any behaviour that directly or indirectly contributed to his injury. Application was dismissed.

**APPLICATION NUMBER 100-162**

Victim was found murdered in his Toronto home. Evidence of applicant, son of victim, failed to show that he was the person responsible for maintenance of victim or a dependent of victim. Assets in the estate sufficed to cover funeral and burial expenses, and there was no pecuniary loss to any person because of victim's death. Application was therefore dismissed.

**APPLICATION NUMBER 100-195**

Victim, a 22-year-old single Windsor police constable, was shot to death in a gun battle outside assailant's home, after answering a call to that address as a result of a disturbance. 2 other police officers were also wounded in this fray. Offender was sentenced to death. Applicants, mother and father of victim, were found by Board to have suffered no pecuniary loss as result of the death. Application was therefore dismissed. Same occurrence as Applications 100-179 and 100-226.

**APPLICATION NUMBER 100-204**

Victim, 65-year-old female, after leaving a Toronto hotel where she had been drinking, was allegedly assaulted from behind while standing at curb waiting for a taxi. She sustained a dislocated shoulder. Board found there was insufficient evidence to substantiate that the applicant was, in fact, a victim of crime. Application was therefore dismissed.

## AWARDS WHERE PUBLICATION OF EVIDENCE WAS ORDERED TO BE RESTRICTED

### APPLICATION NUMBER 100-34

Victim, age 18, was stabbed 3 times in back by boyfriend as she sat in front seat of passenger car. She suffered laceration to left lung and veins and left heart auricle. Offender was sentenced to 2 years less 1 day and, after appeal by the Crown, sentence was increased to 5 years penitentiary. Award: \$3,240.00, with \$3,000.00 to be paid to Accountant, Supreme Court of Ontario, in trust.

### APPLICATION NUMBER 100-98

Victim, female, age 60, was indecently assaulted on way home from church meeting. She sustained concussion, nasal injury, contusion of right temple, and bilateral periorbital haematoma. Offender was sentenced to 3 years and 6 months. Award: \$1,978.00.

### APPLICATION NUMBER 100-102

Victim, female, was assaulted and beaten when dragged from a car on a rural road. Injuries sustained as result of being beaten with tire wrench included fracture of skull, badly torn right ear with part missing, and intra-orbital injury to right eye. Offender was sentenced to 7 years penitentiary. Award: \$5,010.00. Supplementary award: \$270.00, to cover a doctor account.

### APPLICATION NUMBER 100-108

Victim, 24-year-old female school teacher, was assaulted on a Toronto street when en route home from subway. She suffered face and head lacerations and broken nose, as well as an act of indecency which was forced on her. Offender unknown. Award: \$1,011.05.

### APPLICATION NUMBER 100-182

Victim, a factory employee, was assaulted and subjected to indecent advances when checking the plant heating system in the evening. He sustained face and head lacerations and hemorrhage to right eye. Judgement was obtained against offender in a civil action in an amount of \$7,225.75 plus costs. However, the offender has no assets. He was charged with assault, bodily harm, and placed on probation for 1 year. Award: \$2,246.95.

### APPLICATION Number 100-188

Victim, 22-year-old female, was badly beaten and raped when picked up by her supposedly prospective employer and en route to her intended place of employment at a summer resort area. She sustained severe lacerations to face and head with permanent cosmetic damage and general permanent disability. Offender was charged with rape and attempted murder and sentenced to 20 years penitentiary. Award: \$8,632.70.

### APPLICATION NUMBER 100-222

Victim, female, age 34, accompanied a male friend to his apartment and was later assaulted, sustaining a fractured left arm. Offender was charged with common assault and sentenced to 4 months. Award: \$302.00.



